

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BEECHWOOD DEVP., LLC,

Plaintiff,

v.

OLYMPUS TERRACE SEWER DISTRICT, et
al.,

Defendants.

NO. C05-745P


ORDER REQUIRING
SUBMISSION OF INFORMATION
REGARDING
JURISDICTION

With the dismissal of Plaintiff's federal cause of action, the sole basis for subject matter jurisdiction in this matter is diversity jurisdiction. However, the Court cannot determine if diversity jurisdiction exists until Plaintiff Beechwood Devp. L.L.C. discloses the citizenship of each member of the L.L.C. GMAC Commercial Credit LLC v. Dillard Dept. Stores, Inc., 357 F.3d 827, 829 (8th Cir. 2004) (citing Carden and holding that an "LLC's citizenship is that of its members for diversity jurisdiction purposes); see also Grupo Dataflux v. Atlas Global Group, L.P., 541 U.S. 567, 586 (2004) (noting with approval that "[a]lthough the Court has never ruled on the issue, Courts of Appeals have held the citizenship of each member of an LLC counts for diversity purposes"); Carden v. Arkoma Assoc., 494 U.S. 185, 195 (1990) ("diversity jurisdiction in a suit by or against the entity depends on the citizenship of 'all the members'"). Therefore, Plaintiff is directed to provide information to the Court stating the citizenship of each of its members within seven (7) days of this order. If the

1 Defendants have a response to Plaintiff's submission, such response, if any, shall be filed and served
2 within five (5) days of the date of Plaintiffs' submission. The Court will not consider Plaintiff's
3 pending motion for summary judgment until it determines that subject matter jurisdiction exists.
4 Accordingly, the Court will renote the motion for six days after Plaintiff submits the requested
5 information.

6 The clerk is directed to send copies of this order to all counsel of record.

7 Dated: August 15, 2005

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10 Marsha J. Pechman
11 United States District Court
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